State of California
Fish and Game Commission
Finding of Emergency and Statement of Proposed Emergency Regulatory Action

90-Day Extension of Emergency Action to Amend Sections 28.06 and 28.65
Title 14, California Code of Regulations
Re: Recreational Gear Restrictions for White Shark

Date of Statement: August 18, 2026

I. Emergency Regulation in Effect to Date

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations.

At its June 17-18, 2026 meeting, the California Fish and Game Commission (Commission) approved an emergency rulemaking to amend shore fishing gear and white shark take restrictions in sections 28.06 and 28.65 (Office of Administrative Law File Number 2026-0626-01E).

Background

White sharks (*Carcharodon carcharias*) are an important apex predator in the marine ecosystem, and are protected under state and federal fishing regulations. There have been several recent incidents involving pier and beach anglers either intentionally targeting white sharks, or accidentally hooking them with very heavy fishing gear. These incidents have resulted in the death of at least three white sharks this year. Additionally, in 2014, a swimmer was bitten by a white shark that had been hooked by a pier angler.

This year, a forecasted strong El Niño oceanic event is anticipated to increase the presence of white sharks in California coastal waters, which will increase their availability to anglers and the potential for human interactions with hooked sharks. Young white sharks are already being observed in significantly higher numbers in southern California. Because of this, there is an immediate need to curtail illegal targeted fishing for white sharks, help ensure accidentally hooked sharks are released alive, and help prevent another incident where a hooked shark bites an ocean user, or the heavy gear used to catch such sharks entangles a person in the water.

II. Request for Approval of Readoption of Emergency Regulations

The current emergency rule will expire on December 31, 2026, unless it is readopted for an additional 90 days by a re-adoption effort pursuant to subdivision (h) of Government Code Section 11346.1. If the emergency rule is not extended, the fishery will revert to regulations in place before the emergency rulemaking, potentially resulting in increased illegal take of white sharks and decreased protections for ocean users from interactions with sharks hooked on very heavy gear.

III. Statement of Facts Constituting the Need for Readoption of the Emergency Regulatory Action

In response to the emergency situation, the proposed regulatory action readopts the amendments to sections 28.06 and 28.65 to amend shore fishing gear and white shark take restrictions. The proposed regulation for readoption is the same as the original emergency regulation.

The emergency action is necessary to better protect white sharks from illegal targeting, allow incidentally hooked white sharks to more easily break free from the line, and prevent sharks from being released with trailing wires that can entangle the shark after release. The restrictions will also help protect swimmers, surfers, and other ocean users from potential harm caused by a hooked shark attached to wire leader.

The boundary is set south of Pigeon Point because aggregations of juvenile white sharks have not previously been observed north of Santa Cruz, and Pigeon Point is an established, easily identifiable, geographical management line. The remainder of Section 28.65 is renumbered to allow for these additional restrictions to be added to this section.

IV. Existence of an Emergency and Need for Action

The Commission considered the following factors in determining that an emergency currently exists. The Department has indicated that increased shark aggregations in Southern California waters this year. Juvenile white sharks usually move into Southern California waters in the summer months, as waters to the south become too warm. During warm water events, white sharks are present in greater numbers and are present farther north. The National Oceanic and Atmospheric Administration (NOAA) has declared that a strong El Niño event has begun, that is bringing warmer than normal waters to the California coast. These warm water events have historically led to increased presence of white sharks in California, and a northward shift in the range of juvenile white sharks. In early April 2026, 20 juvenile white sharks were caught in a single day from the Hermosa Beach Pier. Additionally, at least three white sharks have been documented to have died this year after being hooked and released with heavy fishing gear consisting of wire leaders and large hooks.

The magnitude of potential harm:

Given the number of white sharks taken in recent months, the confirmed deaths of at least three white sharks, and the known potential for a hooked shark to bite a human in the water, the magnitude of documented and potential harm is great. As white shark presence has increased this year due to a strong El Niño oceanic event, it is likely that additional sharks will be killed through incidental and illegal targeted fishing activities over the course of the year. This could have a negative impact on white shark populations.

In addition to the harm to the species, a hooked white shark poses a serious risk of harm to ocean users. In 2014, an ocean swimmer was bitten by a shark that had been hooked off the Manhattan Beach Pier. The swimmer encountered the fishing line and was bitten by the shark fighting on the line. The individual was hospitalized with lacerations and puncture wounds on the right side of his torso and his right hand. An additional risk is an ocean user becoming entangled in the fishing line or leader. Wire leader has the capability of severely injuring an angler if entangled while a large shark is struggling on the end. With more people at the beach and in the ocean continuing into the fall with warmer than normal water and air temperatures, the risk of potential harm to people from hooked white sharks is significant.

The existence of a crisis situation:

Section 28.06 prohibits the take of white shark. White sharks are slow-growing, long lived, and have low reproductive rates compared to other fish species. As a top-level predator, healthy populations are necessary to maintain a balanced ecosystem. Additionally, a single incident involving a hooked white shark harming a bystander in the water is not acceptable. The

increased number of sharks already being hooked from piers and beaches indicates that a crisis exists, which will likely increase through the year without intervention.

The immediacy of the need:

The readoption of the emergency regulations is needed because of the strong El Niño event, warm water temperatures are expected to remain longer than normal this year and white shark aggregations and beach use are expected be higher than normal during the winter months.

Whether the anticipation of harm has a basis firmer than simple speculation:

The anticipation of potential harm is supported by confirmed recent cases of white sharks being hooked and dying as a result of the use of the gear proposed for prohibition, documented increases in white shark aggregations this year, NOAA's forecast of a strong El Niño event, and a documented 2014 incident in which a white shark bit a swimmer after it was hooked by an angler fishing on a pier.

V. Readoption Criteria

Same as or Substantially Equivalent

Pursuant to Government Code subdivision 11346.1(h), a readoption may be approved only if the text is "the same as or substantially equivalent to an emergency regulation previously adopted by that agency." The language proposed for this rulemaking is the same as the language of the original emergency regulation.

Substantial Progress

Government Code subdivision 11346.1(h) specifies "Readoption shall be permitted only if the agency has made substantial progress and proceeded with diligence to comply with subdivision (e)" [sections 11346.2 through 11347.3, inclusive].

A regular rulemaking (certificate of compliance) is currently being assessed and will be discussed by the Commission's Marine Resources Committee in November 2026.

Proposed Action by the Commission

The Commission's proposed readoption of the emergency amendments to sections 28.06 and 28.65 are the same as previously effective.

VI. Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State

There are no anticipated costs or savings to state agencies or costs/savings in Federal Funding to the State as a result of the proposed regulations, which reinforces the existing prohibition of the incidental take of white shark to state what to do if one is caught incidentally, and prohibits the use of certain fishing gear within the shoreline that would potentially lead to such incidental take.

(b) Nondiscretionary Costs/Savings to Local Agencies

None.

(c) Programs Mandated on Local Agencies or School Districts

None.

(d) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code

None.

(e) Effect on Housing Costs

None.

VII. Technical, Theoretical, and/or Empirical Studies, Reports, or Documents Relied Upon:

Anderson J.M., Burns E.S., Meese E.N., Farrugia T.J., Stirling B.S., White C.F., Logan R.K., O'Sullivan J., Winkler C. and Lowe C.G. 2021. Interannual Nearshore Habitat Use of Young of the Year White Sharks off Southern California. Front. Mar. Sci. 8:645142. https://doi.org/10.3389/fmars.2021.645142

California Department of Fish and Wildlife. 2026. California Shark Incident Database, https://wildlife.ca.gov/Conservation/Marine/White-Shark. Accessed May 2026.

Fox 11 News Los Angeles. 2026. "Fisherman reels in 7-foot great white shark at Hermosa Beach Pier." April 3, 2026, https://www.foxla.com/news/hermosa-beach-pier-great-white-shark-catch-release

Montalto, K.H. 2025. Juvenile White Sharks in Monterey Bay: Effects of Thermal Habitat Patchiness on Local Densities of a Novel Range Shifting Predator. Capstone Projects and Master's Theses. 2003. https://digitalcommons.csumb.edu/caps_thes_all/2003

National Oceanic and Atmospheric Administration, National Weather Service Climate Prediction Center. 2026. El Niño/Southern Oscillation (ENSO) Diagnostic Discussion. https://www.cpc.ncep.noaa.gov/products/analysis_monitoring/enso_advisory/index.shtml. Accessed May 14, 2026.

NBC News Los Angeles. 2026. "Nearly 2 dozen juvenile sharks caught and released by fishermen in Hermosa Beach," April 13, 2026, https://www.nbclosangeles.com/news/local/juvenile-sharks-hermosa-beach/3875429/

Tanaka, K.R., Van Houtan, K.S., and Mailander, E. 2021. North Pacific warming shifts the juvenile range of a marine apex predator. Sci Rep 11, 3373. https://doi.org/10.1038/s41598-021-82424-9.

White C.F., Lyons K., Jorgensen S.J., O'Sullivan J., and Winkler C. 2019. Quantifying habitat selection and variability in habitat suitability for juvenile white sharks. PLOS ONE 14(5): e0214642. https://doi.org/10.1371/journal.pone.0214642.

VIII. Authority and Reference

Section 28.06

Authority cited: Sections 200, 205, 255, 265, and 399, Fish and Game Code.
Reference: Sections 110, 200, 205, 255, 265, 1002 and 5517, Fish and Game Code.

Section 28.65

Authority cited: Sections 200, 205, 265, 270, 275, 7071, 7110, and 399, Fish and Game Code.
Reference: Sections 200, 205, 265, 270, 275, 7110 and 8585.5, Fish and Game Code.

IX. Fish and Game Code Section 399 Finding

Pursuant to Section 399 of the Fish and Game Code, the Commission finds that the adoption of this regulation is necessary for the immediate preservation of the public peace, health and safety, or general welfare.

Informative Digest/Policy Statement Overview

At its June 17-18, 2026 meeting, the Commission approved an emergency rulemaking to amend shore fishing gear and white shark take restrictions in sections 28.06 and 28.65 (Office of Administrative Law File Number 2026-0626-01E). This regulatory action would readopt the emergency for an additional 90 days.

Background

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations.

No white sharks (*Carcharodon carcharias*) are allowed to be taken recreationally, as they are an important apex predator in the marine ecosystem and are protected under state and federal fishing regulations. There have been several recent incidents involving pier and beach anglers either intentionally targeting white sharks or accidentally hooking them with very heavy fishing gear. These incidents have resulted in the death of at least three white sharks this year. Additionally, in 2014, a swimmer was bitten by a white shark that had been hooked by a pier angler.

This year, a forecasted strong El Niño oceanic event is anticipated to increase the presence of white sharks in California coastal waters, which will increase their availability to anglers and the potential for human interactions with hooked sharks. Young white sharks have already been observed in significantly higher numbers in southern California. Because of this, there is an immediate need to curtail illegal targeted fishing for white sharks, help ensure accidentally hooked sharks are released alive, and help prevent another incident where a hooked shark bites a swimmer or the heavy gear used to catch such sharks entangles a person in the water.

Emergency Regulations

These restrictions are necessary to protect white sharks from illegal targeting, allow incidentally hooked white sharks to break free from the line, and prevent sharks from being released with trailing wires that can entangle the shark after release. This will also help protect people who are swimming, surfing, or engaged in other water sports from being harmed by a hooked shark or a wire leader attached to one. The remainder of Section 28.65 is renumbered to allow for additional restrictions to be added.

The Fish and Game Commission (Commission) determined that an emergency exists based on several factors. Shark researchers have documented increased white shark aggressions in Southern California this year, and the National Oceanic and Atmospheric Administration is forecasting a strong El Niño event, that will warm coastal waters and further increase shark presence and northward movement in juvenile white shark range. In April 2026, 20 juvenile white sharks were caught in a single day from the Hermosa Beach Pier, and at least three white sharks have died this year after being hooked and released with heavy fishing gear.

Given the number of white shark captures, confirmed mortalities, and the risk that a hooked shark could injure a person, the potential harm to white sharks and humans is significant. Without these regulations, dozens more white sharks could be killed through incidental and illegal targeted fishing activities, negatively impacting white shark populations, and there is increased risk of human injury resulting from a hooked shark biting or entangling a person in the water.

The readoption of the emergency regulations are needed because of the strong El Niño event, warm water temperatures are expected to remain longer than normal this year and white shark aggregations and beach use are expected be higher than normal during the winter months. The anticipation of potential harm is based on firm evidence that white sharks have been hooked and have died as a result of the use of the gear proposed for prohibition. Additionally, a white shark bit a swimmer in 2014 after being hooked by an angler on a fishing pier.

Benefits of the Regulation:

The Commission anticipates benefits to the State's environment by sustainably managing California's ocean resources by limiting the potential increase of white shark take. The Commission also anticipates improved public safety, by reducing the chance that an incidentally hooked shark remains on the line and either bites someone in the water or injures a person with a trailing wire leader.

Consistency and Compatibility with Existing Regulations

The Legislature may delegate to the Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature delegated regulation of the take of white shark to the Commission. The Commission conducted an evaluation of existing regulations, and this regulation is neither inconsistent nor incompatible with existing state regulations.